

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Yoshihiro Suzuki et al.

Confirmation No.: 3652

Patent No.: 6,561,716

Art Unit: 3671

Filed: June 1, 2000

Examiner: Robert Pezzuto

For: UNIVERSAL JOINT DEVICE AND METHOD
OF MANUFACTURING THE DEVICE

Issued Date: May 13, 2003

**PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT OF
MAINTENANCE FEES IN EXPIRED PATENT**

MS Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a petition to accept payment of maintenance fees for U.S. Patent No. 6,561,716 ("the '716 patent") after expiration of the patent, wherein the delay in payment of the maintenance fees was unavoidable. *See* 37 CFR §1.378(b). The required maintenance fee owed under 37 CFR §§1.20(e)-(f) (\$980) and the surcharge owed under 37 CFR §1.20(i)(1) (\$700) are submitted concurrently herewith by authorization to deduct these amounts from Deposit Account No. 50-4570. As shown below, all of which is based upon information and belief, the delayed payment was unavoidable since reasonable care was taken to ensure that the maintenance fees would be paid timely and that the petition was filed promptly after the patentee was notified of, or otherwise became aware of, the expiration of the patent.

05/27/2011 CKHLOK 00000007 504570 6561716

**Steps Taken To Ensure Timely Payment
Of The Maintenance Fee**

01 FC:1551	980.00 DA
02 FC:1552	2480.00 DA
03 FC:1557	700.00 DA

The '716 patent issued on May 13, 2003 and the first maintenance fee for this patent could have been paid during the period from May 13, 2006 to November 13, 2006. The fee also

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Conclusion


Given the foregoing, the patentee hereby respectfully submits that the entire delay in paying the first (fourth year) maintenance fee for the '716 patent was unavoidable because it resulted from a single human error by a trusted employee of a firm in which the patentee could reasonably have trusted. Also, the failure to notice that the fee had not been paid was unavoidable because of the indications provided to the patentee that the fee had been paid. Accordingly, the patentee respectfully requests that this petition be granted, allowing the delayed payment of the fourth year maintenance fee to be accepted, and for the '716 patent to be reinstated.

Since the window for paying the eighth year maintenance fee without surcharge for the '716 patent closes on November 13, 2010, this Petition is being submitted concurrently with a payment of the second (eighth year) maintenance fee owed under 37 CFR §§1.20(e)-(f) for this patent.

If the U.S. Patent and Trademark Office determines that any additional fees are required, the Commissioner is hereby authorized and requested to charge any deficiency owed, and/or credit any refund due, to Deposit Account No. 50-4570.

Dated: April 5, 2011

Respectfully submitted,

By 

Melvin C. Garner

Registration No.: 26,272

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Yoshihiro Suzuki et al.

Patent No.: 6,561,716 Issued: May 13, 2003

Confirmation No.: 3652

Application No.: 09/762,319 Filed: February 6, 2001

Art Unit: 3671

For: UNIVERSAL JOINT DEVICE AND METHOD OF
MANUFACUTRING DEVICE

Examiner: Robert Pezzuto

AUTHORIZATION TO CHARGE OUR DEPOSIT ACCOUNT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The Commissioner is hereby authorized to charge the required fees below and any deficiency owed to Deposit Account No. 50-4570.

1. \$700 – 37 C.F.R.1.20(i)(1) Surcharge after expiration – Late payment is unavoidable;
2. \$980 – 37 CFR 1.20(e)-(f) Maintenance Fee owed;
3. \$2480 – Payment of the Second Maintenance fee.

Dated: April 5, 2011

Respectfully submitted,


By _____

Melvin C. Garner

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